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VOL. 9.

FRANKFORT, KENTUCKY, DECEMBER 21, 1859.

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Attorney and Counselor at Law,
LEXINGTON, KY.

OFFICE on Short Street between Limestone and Upper streets. [May 23, 1856—F.]

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ATTORNEY AT LAW,
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J. H. KINKEAD,
Attorney and Counselor at Law,
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THE COMMONWEALTH.

KENTUCKY LEGISLATURE.

IN SENATE.

TUESDAY, Dec. 20, 1859.

The Senate was opened with prayer by Rev. J. M. LANCASTER, of the Catholic Church.

The Journal of yesterday was read by the Clerk.

MESSAGE FROM THE GOVERNOR—DEATH OF HON. LINN BOYD.

A message was received from the Governor, by Mr. MONROE, Secretary of State, announcing the death of Hon. LINN BOYD, Lieutenant Governor, and informing the Legislature that he had ordered the public offices to be closed during the day, and recommending suitable action on the part of the Legislature.

Mr. JOHNSON arose and addressed the Senate as follows, viz:

MR. SPEAKER.—The message just read from the Clerk's table, from the Governor of this Commonwealth, announces to the Senate and the country, that Hon. LINN BOYD is dead. He died, as the Governor informs us, on Saturday evening last at 8 o'clock, at home, and in the bosom of his beloved family.

I have known the deceased since 1820. We were reared in the same portion of Kentucky, and for the last fifteen years our relations have been the most intimate. It is, therefore, fitting that I should speak of him. Though differing widely from him in political sentiment, and never having voted for him, I cannot resist the impulse of tendering to his memory the tribute of my heartfelt sorrow.

Col. Boyd was born in the city of Nashville, Tennessee, on the 22d day of November, 1800. His father, Abram Boyd, removed from Nashville to Christian county, now Trigg, in 1803, where he was married. In 1826, when the district of country known as the Kentucky purchase was divided into counties, he removed to the county of Calloway, in that district, and the next year was returned the first member to the legislature from the four counties comprising that district, when there was less than three hundred voters within its limits. He was returned for three consecutive sessions, during which he originated the policy which settled that beautiful country, and which now contains cities and towns, whilst the rural districts team with busy industry and thrift, and an aggregate population of one hundred thousand people. He justly deserves to be called the father of his people! In 1830, he returned to Trigg county, and the next year was again elected to the Legislature from that county. This was his last service in the Legislature. He was then called to a higher sphere of action. In 1835, he was elected to the Congress of the United States, and served his first term with distinguished ability. He was defeated by party division in 1837; was re-elected in 1839, and continued uninterruptedly in Congress until he had served eighteen years, and after which voluntarily retired to private life, to spend his days like Cincinnati at the handles of the plow. But his countrymen would not spare him from their counsels, and he was nominated for the office of Lieutenant Governor, at the Democratic Convention which assembled last January in this city. Soon after this, he was stricken down by disease, and from the severity of which he had no respite, until he yielded up his last sighs to the God of all mercy! As I must be brief, I will allude to a single incident in his public life. In 1850, when the Texas boundary, with a Territorial Government for New Mexico was under consideration in the House of Representatives, that measure, constituting the basis of the compromise measures, was lost by a few votes. It was reconsidered again and lost, but the bill had received some slight amendment, and was again proposed to be reconsidered, and the Speaker ruled the motion out of order. At this juncture Mr. Boyd got the floor, and moved to appeal from the decision of the Chair, and made a speech upon the importance of the measure—showing the dangers that threatened the Union; and such was the power of that appeal, that the vote was reconsidered, and taken on the bill and passed, and the Union was saved! The great names of the Senate were present in the House, and when the result was known, the great com moner, who now sleeps in the shades of Ashland, shed tears of joy over the result.

Col. Boyd was in many respects a remarkable man. He never appealed to the venality of the press to aid him in his political aspirations; he never bought a friend, and never stooped to an enemy; he never asked appointments for any of his constituents, except on the score of qualification, and it is a remarkable fact that he has scarcely ever sought an appointment for any of his constituents. He would say to those who asked it, the field of executive favor is too small a one for a noble ambition; qualify yourself well and then appeal to the people.

It may be asked what contributed so largely to his success? I answer, first, the full conviction of his judgment that he was right; and second, the extraordinary facility with which he read the human character.

Mr. Speaker and brother Senators, this is a time for memory and for tears; why has he been called from this noble theatre, whilst we are left? He that could have said to the troubled waters, cease, be still! His noble form, his lofty patriotism, his supreme love of country which nothing could daunt, made this the fit theatre for his actions, and this the time for the display of his great influence and his ripe experience.

Mr. Speaker and brother Senators, let us this day renew, over the ashes of the illustrious dead, our devotion to the Union and the Constitution. Sir, standing on my native heath, surrounded by the living and the dead that I love, with all the memories of the past, and the hopes of the future, with my hand on the constitution and standing in the presence of that honored memoir, (pointing to the portrait of Gov. Shely,) what at King's mountain stood amidst that storm of fire and iron hell, and who bore in his body enduring memorials of that struggle in which America's liberty was purchased, and in the presence of that immortal man, (pointing to the portrait of Henry Clay,) who uttered the noble sentiment that "peace hath her victories as well as war," I say in the presence of these, and you, Mr. Speaker, and all my brother Senators, that I this day renew my pledge to stand by the Union and Constitution, until, like this great man, I shall be called from the labors of this life to the peaceful quiet of the grave.

Mr. Speaker, let us from this noble theater baulk all partisan ill feeling, and over the grave which now hides from our view this eminent citizen and statesman, pledge our lives and our honor now and forever, to the good of our country. When the future historians shall write the history of the great men of Kentucky, high upon the list will stand the name of Linn Boyd.

Mr. Speaker, I now ask leave to introduce the appropriate resolutions, and ask that they be spread upon the Journals of the Senate.

The Senate of Kentucky having received the intelligence of the death of Hon. LINN BOYD, the Lieutenant Governor and presiding officer elect of this body, and sharing in the universal sorrow that sad event will carry to every part of his adopted State, which he has so long and faithfully served in the councils of the State and nation, do unanimously resolve—

Resolved, That the Speaker's chair be shrouded in black during the session, and that the officers and members of this body will wear mourning on the left arm for thirty days.

Resolved, That we are penetrated with profound sorrow for the loss, at this time, of one so firm in all good and patriotic purposes, so exalted in virtue, so pure in all the relations of life, and a statesman so inflexibly attached to the Union of these States.

That the Speaker of the Senate be requested to direct a copy of this preamble and these resolutions to be transmitted to Mrs. ANN L. BOYD, asuring her that this body deeply condole with her, in the irreparable loss she has sustained in the severely afflicting dispensation of Providence, and that we shall ever cherish a profound respect for the manifold virtues and estimable worth of her late husband.

Resolved., That when the Senate adjourns, it will adjourn to to-morrow at 10 o'clock.

Mr. FISK said:

MR. SPEAKER.—I arise to second the resolution presented by the Senator from McCracken. I cannot find words to express the deep grief I feel on this sad occasion. A truly good, pure and wise statesman has fallen. He was a noble specimen of the physical man; dignified and courteous in his bearing, he justly merited and won the respect of all who knew him. He has left to his beloved widow and fatherless child a rich legacy in his spotless private life, and his exalted and unrivaled public character. His life exhibits a bright example of the true spirit and the real workings of our unequalled American institutions. Born in humble life, endowed with great natural abilities, he early comprehended his powers and his opportunities.—With an upward glance he saw all the avenues to honor and distinction wide open before him. He began the struggle of life unalterably determined to do right, and never to turn his back upon his country or foe. His ascent was rapid. He passed through the State Legislature and up to Congress, and was twice elected Speaker of that body. For eighteen years he was a Representative in Congress from one of the most enlightened districts in the State. Always without a peer; and most of the time without a rival.—His constituents were proud of him as a man, and always delighted to do him honor. He voluntarily retired from Congress to the quiet of his own home; but the people again called him, and placed him in the second office under the Government of the State. But also he has not been permitted to take his seat. He has fallen. The grave has received him. He has passed away, and left his model character for our imitation. We shall soon be surrounded with the emblems of death, reminding us that we are mortal, and must soon go hence and be here no more. Let us imitate his example, and end his virtues.

And then the Senate adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, Dec. 20, 1859.

Prayer by the Rev. JOHN N. NORTON, of the Episcopal Church.

The Journal of yesterday was read.

PETITIONS.

Were presented by Messrs. RODMAN, (2,) WOLFE, LACKEY, EWING, and S. JOHNSON, and appr-priately referred.

LEAVE TO BRING IN BILLS.

Leave was given to bring in the following bills, which were appropriately referred, viz:

Mr. GOODLOE.—A bill for the benefit of Bryan's Station Turnpike Road.

Same.—A bill to amend the charter of the Versailles and Anderson Turnpike Road.

Same.—A bill to incorporate the Board of Managers of the Louisville House of Refuge.

Same.—A bill to amend the Criminal Law as to the punishment of young offenders in the city of Louisville.

Same.—A bill to amend the charter of the Frankfort and Woodford Landing Turnpike Road Company.

REPORTS OF STANDING COMMITTEES.

Mr. FINN.—County Courts.—A bill to change the time of holding the Magistrate's court in District No. 5, in Henderson county: passed.

Same.—A bill permitting the administrator of David Snodgrass, deceased, late Judge of the Harrison Quarterly Court, to issue and collect fee bills due said decedent: passed.

Same.—A bill to change the time of holding the Quarterly Court of Trimble county: passed.

Same.—A bill to change the time of holding the Henderson Quarterly Court: passed.

Same.—A bill to allow the Bracken County Court to subscribe \$300 to improve a county road in said county: passed.

Same.—A bill for the benefit of Wm. C. Gillis, last Surveyor of Whitley county: passed.

Same.—A bill to change the time of holding the Quarterly Courts of Adair county: passed.

Same.—A bill to incorporate the Book and Tract Association of the Louisville Conference of M. E. Church, South.

Same.—A bill to repeal an act entitled, an act for the benefit of the town of Burlington and Hamilton: passed.

Same.—A bill to amend the law in regard to jury trials and the effect of the same in will cases: referred to the committee on the Judiciary, made the special order for the 16th of January, and ordered to be printed.

Same.—A bill to increase the pay of witnesses. [Allowed \$1 per day:] passed.

Same.—A bill in relation to forfeited lands. Said bill reads as follows:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That chapter 58, section 1st, of the Revised Statutes, be, and is hereby, amended, by repealing that part of the said section beginning at the word "unless," to the end of said section.

§ 2. That all laws now in force in this Commonwealth authorizing the redemption of lands that were forfeited for the non payment of taxes, or other cause, prior to the 1st day of January, 1834, are hereby repealed; that all grants subsequently made by the State, of any such forfeited lands, shall vest the fee simple title in the grantees, their heirs or assigns.

§ 3. That all lands forfeited as stated in the preceding section, and not heretofore granted by the State, shall be subject to entry in the same manner as now provided by law in regard to vacant and unappropriated lands.

§ 4. That any person having possession of any such land, forfeited as aforesaid, claiming the same to a well defined or marked boundary, shall have the exclusive right, for twelve months after the passage of this act, to pre-empt the land so held, not exceeding five hundred acres. The possession to authorize the exclusive right to pre-empt, shall be by actual residence on the land by the claimant, or his or her tenant.

§ 5. Any person holding any such forfeited lands by deed of conveyance made bona fide, and who have regularly listed and paid taxes on the same, but who have not such title and possession as will, under existing laws, vest them with title by reason of the forfeiture of the land, shall have the exclusive right, at any time within twelve months after the passage of this act, to preempt the land so held.

§ 6. That in all cases where there are taxes due on lands forfeited prior to the 1st day of January, 1834, and such lands have been granted by the State subsequently to such forfeiture, such grant shall operate as a release of all the taxes due upon that so granted, up to the date of such grant. And all grants that may be hereafter made of any such lands, shall in like manner operate as a release of the taxes due at the date of such grant. The release of taxes as herein provided, shall inure to the benefit of the grantees, their heirs or assigns.

§ 7. That in all cases where there are taxes due on lands forfeited prior to the 1st day of January, 1834, and such lands have been granted by the State subsequently to such forfeiture, such grant shall operate as a release of all the taxes due upon that so granted, up to the date of such grant. And all grants that may be hereafter made of any such lands, shall in like manner operate as a release of the taxes due at the date of such grant. The release of taxes as herein provided, shall inure to the benefit of the grantees, their heirs or assigns.

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6 and 8-4 Illusion, all colors.

FIFTY PIECES

5-4 Rose, Garnet, Blue, Canary and White Tarlton.

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A GOOD price will be paid for a negro woman, with all incumbencies, to do the cooking and washing for a small family next year. Enquire at this office.

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THE two Store Rooms under the Metropolitan Hall.

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ORLANDO BROWN.

dons or regret which I feel on account of the irreparable loss, not only to his family and his many personal friends, but as a public calamity to the State and the Union.

I shall not now attempt to give to this House even a short sketch of the life of Col. Boyd—his life is a part of the history of our country; his character for honesty and virtue, his consummate judgment and unwavering firmness upon all the political questions that agitated his country during all his long public life, made him the favorite man of his party; and now that he lives no more, his political opinions and public services remain in the memory of his country. His life exhibits a bright example of the true spirit and the real workings of our unequalled American institutions. Born in humble life, endowed with great natural abilities, he early comprehended his powers and his opportunities.—With an upward glance he saw all the avenues to honor and distinction wide open before him. He began the struggle of life unalterably determined to do right, and never to turn his back upon his country or foe. He was a noble specimen of the physical man; dignified and courteous in his bearing, he justly merited and won the respect of all who knew him. He has left to his beloved widow and fatherless child a rich legacy in his spotless private life, and his exalted and unrivaled public character. His life exhibits a bright example of the true spirit and the real workings of our unequalled American institutions.

He was a man of powerful intellect—quick to comprehend and grasp a subject, and always ready to decide and determine his course of action. He was in all his relations of life candid and frank, having never concealed a political sentiment in his life. He was what is called a self-made man, never having had the advantages of a liberal education. His name had gone abroad throughout this nation, and he was favorably spoken of as a candidate for the Presidency.

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THE COMMONWEALTH.
FRANKFORT.

THOMAS M. GREEN, Editor.
WEDNESDAY, DECEMBER 21, 1859.

To Members of the Legislature.

Extra copies of the *Daily Commonwealth*, put up in wrappers, ready for mailing, will be furnished at 2 cents each, and extra copies of the *Weekly* put up in wrappers at 4 cents each.

Gentlemen wishing extra copies of either the *Daily* or *Weekly* will please leave their orders beforehand at this office, or with JOHN M. TODD, in the H. R., or G. W. LEWIS, in the Senate, Reporters for this paper. Orders for the *Weekly* must be left by Saturday evening of each week, as it is published on Monday; and for the *Daily* the day before the publication of the paper which is wanted.

Extra copies of this paper containing the Governor's Message, can be furnished to those who wish them at 2 cents each.

The Frankfort Commonwealth
FOR THE
SESSION OF THE LEGISLATURE.

Daily,	\$1 50
Weekly,	.75
Six copies of Daily for	7 50
Ten copies of Daily for	12 00
Twenty copies of Daily for	20 00
And for any larger number than twenty at same rate.	
Five copies of Weekly for	\$3 00
Ten copies of Weekly for	5 00

Death of Linn Boyd.

On Monday evening a telegraphic dispatch announced the death of this gentleman, the Lieut. Governor of the State, and on yesterday both branches of the Legislature signified their respect for the memory of the departed by passing appropriate resolutions, and then adjourning. We feel that it would be unbecoming in us to comment disparagingly upon the character of the deceased, but his eulogy must be spoken and written by another. A number of Senators and Representatives have creditably discharged this duty, and to their remarks, which will be found among our Legislative reports, we invite the attention of our readers. By the death of Col. Boyd, Thos. P. Porter becomes the Lieutenant Governor of Kentucky.

The resolutions offered in the Senate, on last Saturday, by Mr. ALEXANDER, are of a character to merit the approbation of every national patriotic citizen of the State, and we cannot but believe that they represent the true sentiments of a large majority of Kentuckians. Expressing the abhorrence generally entertained of the mad scheme of John Brown and his associates, they at the same time condemn the Southern slave-trading secessionists; avowing the unswerving attachment of Kentucky to the Union of States, they promise that the people of our beloved Commonwealth will disown all attempts to alienate the different sections of our common country. It is eminently appropriate that such resolutions should be passed by a Kentucky Legislature. Breathing the patriotic ardor which characterized our counsels during the period when our State was governed by great men, they form a manly and cheering contrast to the puerile ravings of senseless demagogues of which we have recently read and heard enough to disgust and nauseate any but the most treacherous stomach.

Notice to the Public!

THEATRE.—Owing to some unaccountable reason, (perhaps the weather,) the Orchestra engaged by the managers of the Theatre failed to arrive last evening according to agreement. Wishing to open with entire satisfaction to the public, they have deemed it advisable to postpone their opening until they do arrive, which will surely be some day this week.

HARRY CHAPMAN,
SAM. DRAKE.

A letter from Col. Durkay requests us to express his gratitude to those members of the General Assembly who supported him for Public Printer, and to say to each one of them that their kindness will be remembered by him through life.

ASSEMBLY BALL.—Let no one forget the Assembly Ball, at the Capital Hotel to night. It will inaugurate the gayety of the season, and every endeavor will be made to render it a brilliant affair. A number of the Kentucky belles are already here and more are coming. STRAUSS will also be on hand, and CAMPBELL STEELE attends to the supper—a sufficient guarantee of an excellent repast.

THE highly improved BRAZILIAN PEBBLE SPECTACLES, which are now to be had at Harris' Galler, over the Postoffice, are really an improvement on human vision; and we advise those that fail to see with convenience to call on Mr. SINCERE, the well recommended and skillful Optician. He is the man who will do you good.—Don't miss a rare chance, as Mr. SINCERE's stay in our community is but for one day.

THE use of Dr. HOSTETTER'S STOMACH BITTERS for Dyspepsia, Flatulence, Heaviness of the Stomach, or any other like affection, is second to none in America or abroad. To be able to state confidently that the "Bitters" are a certain cure for dyspepsia and like diseases, is to the proprietors a source of unalloyed pleasure. It removes all morbid matter from the stomach, purifies the blood, imparts renewed vitality to the nervous system, giving it tone and energy so indispensable for the restoration of health. The numerous acknowledgments of its superior excellence and beneficial results, have assured the proprietors that it cannot but prove a great cure to the afflicted, and impart vitality to the thorough system. See advertisement in another column.

The year 1859, has been noted in England for hotter weather in July than has been recorded since 1771, the average of the month having been 69 1/2 degrees, more than 6 1/2 degrees above the usual mean. The maximum in the shade was 93 degrees, and in London, in the sun, 140 degrees. The present year has also had colder weather in October than had been previously noted during upward of forty years, having fallen as low as 23 degrees. The greatest cold previously registered since 1819 was 24.6 degrees.—October, 1859, has also shown the greatest degree of heat (77.5 degrees) ever recorded during that month. There was also a considerable fall of snow in the north of England, and in Scotland and Ireland, and ice half an inch thick in Edinburgh. The gales of wind have also been very violent, mounting to hurricanes and even tornades at sea, and the damage to vessels and the loss of life have been distressingly great.

He that escapes reprobation, may suspect his adoption. God had our Son without corruption, but no son without correction.

Decision of the Court of Appeals.

[Reported expressly for the Commonwealth by JAMES BROWN, Attorney-at-Law, Frankfort, Ky.]

WINDSOR, &c. From the Davies Circuit Court.

This was a proceeding, by petition, in this County Court, by Catharine Windsor—an infant under fourteen—through her next friend, to remove her guardian. The guardian resisted the application. The County Court refused to remove him, and the Circuit Court, on appeal, affirmed the order of the County Judge. From that judgment of affirmation the infant has appealed.

It appears that the father of appellant died in testate, leaving a widow and two daughters—Catharine and Susan, both of them under fourteen years of age—and also a considerable estate—consisting of land, slaves and personal property; that his widow was appointed administratrix of his estate, and her brother, C. Riley, at her instance, guardian for her children. Also that, now long afterwards, the widow intermarried with McAtee, and a short time thereafter, having induced her brother to resign his trust as guardian, McAtee was appointed in his stead. After this the mother of the infants died, and in the course of a few months McAtee married another lady, in no wise related to his wards or their friends. Upon the death of their mother, the wards went to reside with their own kindred. Susan, the elder sister, being then fourteen years of age, selected her uncle, Wm. Riley, as her guardian.

It further appears that McAtee asserted claim, as survivor of his former wife, to personality and other property which the infants claim as part of their deceased father's estate, of which estate there had been no distribution, division or settlement made by him or his wife as administratrix, and that he had not, as guardian, filed an inventory of his ward's estate within sixty days after his appointment, as required by law; and this evidence conduces to show that it would be to the interest of the infants that their estate, which was joint and undivided, should be under the control of one rather than of two persons.

Judge STITES delivered the opinion of the Court.

The question in this case is, whether a removal of the guardian was not eminently proper, and whether the County Judge ought not, in the exercise of a sound discretion, to have made an order to that effect.

Our ground relied on—that is, the failure of the guardian to file an inventory of his ward's estate within sixty days after his appointment—was, of itself, sufficient to have justified such an order. The *Revised Statutes, chapter 43, art. 3, secs. 1 and 2, page 374*, impose this duty upon every statutory guardian, and provide that, for failure to comply with it, he may be removed.

But conceding that this neglect did not, of itself, imperatively demand the removal of the guardian, the other facts presented, when considered together being the case clearly within the 11th sec. of 1st art. of the chapter, supra, Rev Stat. 373, which declares that "When a guardian shall have become insane, move out of the State, become incapable of discharging the duties of his trust, or evidently unsound herefor, the court after notice, may remove him," &c.

The reasons which superinduced the removal of the first guardian and the appointment of McAtee, viz., the relation of step father, and the necessity and propriety of the daughters being with and under the control of her mother, his former wife, no longer exist. So far as the record shows, there are no ties of relationship, no motive or obligation, save those imposed by the stipulations of his bond, to prompt or incite the guardian to rear his ward in such manner as her estate and position require or would justify.

Consanguinity and relationship are important considerations in the appointment of guardians. The law recognizing the familiar truth, that infants and their interests are safer in the hands of relatives than strangers, make them control in the order of precedence prescribed for the action of County Courts.

The fact that there was no consanguinity or tie of relationship between the guardian and ward furnishes, of itself, no sufficient reason to remove him, after he had been appointed, but he having assumed an attitude, and asserted claim hostile to the interest of his ward, the fact that he was a stranger in blood, tends to fortify the conclusion that he had become "evidently unsound" for a faithful discharge of his duties as guardian, and unfit for the position.

The law makes it the duty of a guardian to look after and protect all the interests of his ward, and concedes the acquirement of any right by him inconsistent with this duty. He cannot serve himself and his ward, when their interests conflict.

In view then of the neglect of appellee to render an inventory of his ward's estate, as required by law—or his attitude as an adverse claimant of rights inconsistent with her interest, and the peculiar circumstances attending his appointment—our conclusion is that he was evidently unsound to discharge the duties of guardian for appellee, and should therefore have been removed.

Therefore, the judgment of the Circuit Court affirming the order of the County Court is reversed and the cause remanded, with directions to revise said order, and send the case back to the County Court, with an order directing the removal of appellee as guardian of an excellent repast.

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Another Manifesto from Garibaldi, &c.
The Corriere Mercantile publishes the following proclamation, issued by Gen. Garibaldi on his arrival at Genoa:

TO MY COMPANIONS IN ARMS IN CENTRAL ITALY.

Let not my temporary absence cool your ardor for the holy cause that we defend.

In separating myself from you—whom I love as the representatives of a sublime idea—the idea of Italian deliverance—I am excited and sad; but consolation comes in the certainty that I shall very soon be among you again, to aid you in finishing the work so gloriously begun.

For you, as for me, the greatest of all possible misfortunes would be not to be present wherever there is fighting for Italy. Young men who have sworn to be faithful to Italy and to the chief who will lead you to victory, lay down your arms; remain firm at you post—continue your exercises—persevere in the soul's discipline.

The true will not last long; old diplomacy seems but little disposed to see things as they really are. Diplomacy still looks upon you as the handful of malcontents which she has been accustomed to despise. She does not know that in you there are the elements of a great nation, and that in your free and independent hearts there germinate the seeds of a world-wide revolution if our rights shall not be recognized, and if the people will not allow us to be masters in our own home.

We desire to invade no foreign soil; let us remain unmolested on our own. Whosoever attempts to gainsover us, this determination, will find that we will never be slaves, unless they succeed in crushing by force an entire people ready to die for liberty.

But, even should we all fail, we shall bequeath to future generations a legacy of hatred and vengeance against foreign domination; the inheritance of each of our sons will be a rifle and the consciousness of his rights; and, by the blessing of God, the oppressor will never sleep soundly.

Italians, I say again, do not lay down your arms; rally more closely than ever to your chiefs, and maintain the strictest discipline. Fellow citizens, let not a man in Italy omit to contribute his mite to the national subscription; let not one fail to clean his gun, so as to be ready—perhaps to-morrow—to obtain by force the day that to day hesitate to grant our just rights.

—GARIBALDI.

THE FRENCH EXPEDITION TO CHINA—ORDER OF THE DAY OF THE COMMANDER.

The General Commanding in Chief of the French expeditionary corps to China has issued the following order of the day:

OFFICERS AND SOLDIERS.—Under the protection of Napoleon III, and of France, you are called on to undertake a remote and glorious expedition.

Your mission will not be to add a new conquest to all those which have been illustrated France. You are going to show, by strict discipline, to numerous populations, that you are not the barbarians they think you are, as you will prove by your warlike ardor the superiority of your courage. For the second time your standard will unite with the English flag, and this union will be an omen of victory, as that of the two peoples is a pledge of peace to the entire world. Your task is grand and noble to fulfill, but the success is assured by your devotion to the Emperor and to France.

Farmers will also find a good assortment of Farming Implements and as the Agents of several Manufacturers we can and will sell at Factory Prices for Cash, freight added.

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AYER'S Ague Cure, FOR THE SPEEDY CURE OF

Intermittent Fever, or Fever and Ague, Remittent Fever, Chill Fever, Dumb Ague, Periodical Headache, or Bilious Headache, and Bilious Fevers, indeed for the whole class of diseases originating in bilious derangement, caused by the Malaria of miasmatic countries.

No one remedy is louder called for by the necessities of the American people than a sure and safe cure for Fever and Ague. Such we are now enabled to offer, with a perfect certainty that it will eradicate the disease, and with assurance, founded on proof, that no harm can arise from its use in any quantity.

That which protects from or prevents this disorder must be of immense service in the communities where it prevails. Prevention is better than cure, for the patient escapes the risk which he must run in violent attacks of this baleful distemper. This "Cure" expels the miasmatic poison of FEVER AND AGUE from the system and prevents the development of the disease, if taken on the first approach of its premonitory symptoms. It is not only the best remedy ever discovered for this class of complaints, but also the cheapest. The large quantity we supply for a dollar brings it within the reach of every body; and in bilious districts, where FEVER AND AGUE prevails, every body should have it and use it freely both for cure and protection. It is hoped this price will place it within the reach of all—the poor as well as the rich. A great superiority of this remedy over any other ever discovered for the speedy and certain cure of Intermittents, is that it contains no Quinine or mineral, consequently it produces no quinism or other injurious effects whatever upon the constitution. Those cured by it are left as healthy as if they had never had the disease.

Fever and Ague is not alone the consequence of the miasmatic poison. A great variety of disorders arise from its irritation, among which are Neuralgia, Rheumatism, Gout, Headache, Blindness, Toothache, Earache, Catarrh, Asthma, Palpitation, Painful Affection of the Spleen, Hysterics, Pain in the Bowels, Colic, Paralysis, and Derangement of the Stomach, all of which, when originating in this cause, put on the intermittent type, or become periodical. This "Cure" expels the poison from the blood, and consequently cures them all alike. It is an invaluable protection to immigrants and persons travelling or temporarily residing in the malarious districts. If taken occasionally or daily while exposed to the infection, that will be excreted from the system, and cannot accumulate in sufficient quantity to ripen into disease. Hence it is even more valuable for protection than cure, and few will ever suffer from Intermittents, if they avail themselves of the protection this remedy affords.

Ayer's Cathartic Pills, FOR ALL THE PURPOSES OF A FAMILY PHYSIO,

are so composed that disease within the range of their action can rarely withstand or evade them. Their penetrating properties search, and cleanse, and invigorate every portion of the human organism, correcting its diseased action, and restoring its healthy vitalities. As a consequence of these properties the invalid who is bowed down with pain and physical debility is astonished to find his health or energy restored by a remedy at once so simple and inviting.

Not only do they cure the every-day complaints of every body, but also many formidable and dangerous diseases. The agent below named is pleased to furnish gratis my American Almanac, containing certificates of their cures and directions for their use. *Costes, H. W. Averill, Druggist, Frankfort, Ky., and Manufactur'r of Worm Salve, Antiseptic, Pectoral, and Masticated Inunction of the Bowels, Flatulence, Loss of Appetite, Jaundice, and other kindred complaints, arising from a low state of the body or obstruction of its functions. They are an excellent alternative for the renovation of the blood and the restoration of tone and strength to the system debilitated by disease.*

Ayer's Cherry Pectoral,

FOR THE RAPID CURE OF Coughs, Colds, Influenza, Hoarseness, Croup, Bronchitis, Incipient Consumption, and for the relief of Consumptive Patients in advanced stages of the disease.

So wide is the field of its usefulness and so numerous are the cases of its cures, that almost every section of country abounds in persons publicly known, who have been restored from alarming and even desperate diseases of the lungs by its use. When once tried, its superiority over every other medicine of its kind is too manifest to be overlooked. Its properties are well known, the public no longer hesitates what antidote to employ for the distressing and dangerous afflictions of the pulmonary organs that are incident to our climate. While many inferior remedies thrust upon the community have failed and been discarded, this has gained friends by every trial, conferred benefits on the afflicted they can never forget, and produced cases too numerous and too remarkable to be forgotten.

PREPARED BY DR. J. C. AYER & CO.

LOWELL, MASS.

For sale by J. M. MILLS and W. H. AVERILL, Frankfort, and by all Druggists.

SUARE ECKSTEIN & CO., Cincinnati, General Agents

March 25, 1859—ly.

Reopening of the Mansion House.

G. L. POSTLETHWAITE & CO. Prop'r's.

FRANKFORT, KENTUCKY.

THIS old and well-known Hotel has just been thoroughly repaired and refurnished, and will be open to the traveling public and boarders on the 25th Inst. The present lessee has been heretofore engaged in hotel keeping, and from his experience in the business hopes to give satisfaction. His old friends and the public generally are requested to stop with him.

Nov. 21, 1859—ly.

SOUTH FRANKFORT.

Grocery and Dry Goods Establishment.

HAVING purchased the stock of goods of F. D. KENDALL, undersigned will continue the Grocery and Dry Goods business at his old stand. I have just received a fresh supply of Family Groceries, and will keep constantly on hand a well selected stock of all articles in my line of business, as well as all other household articles. Will be made for country purchases of all kinds, on fair terms. By strict attention to business, and selling low, I hope to deserve and receive a share of the public patronage.

HENRY C. MITCHELL,

Frankfort, June 24, 1859—w&twm.

THE REPORT OF THE Kentucky State Agricultural Society,

FOR 1856 AND 1857.

Just published, and for sale at this office, at \$2 per copy. To the Report will be found very interesting and useful to all who are interested in the Agricultural improvement of the State. It is the result of the sixth annual "Report of the Kentucky Geological Survey;" it is a volume of 596 pages, embellished with a number of cuts of the animals which took premiums at the State Fairs.

All orders to be addressed to

A. G. HODGES.

STRAY NOTICE.

FRANKFORT COUNTY, TAKEN up as a stray, by JAMES M. WEST, living about two miles Northwest of Frankfort, and near the Kentucky River, one pale red bull calf, supposed to be about a year old. The animal is very workable. Appraised to five dollars before the undersigned, a Justice of the Peace said county, by Charles F. Owen, a housekeeper in said county, on his oath, this 13th day of December, 1859.

GEO. W. GWIN, J. P. F. C.

Dec. 19, 1859—w&twm.

Guard against Fall and Winter Fires! BY CHOICE INSURANCE WITH THE



Incorporated 1819—Charter Perpetual.

CASH CAPITAL, - \$1,000,000,
ABSOLUTE AND UNIMPAIRED.

NET SURPLUS OF - \$942,181 72,

And the prestige of 40 years success and experience.

UPWARDS OF \$12,000,000

Of Losses have been paid by the *Vesper Gas* Company in the past 40 years.

The value of reliable insurance will be apparent from the following

LOSSES PAID BY THE *FATNA*

During the Past Five Years:

In Ohio, - \$421,520 83 In Michigan, - \$158,043 81
In Wis., - 106,935 07 In Indiana, - 146,839 81
In Kentucky, - 204,539 49 In Illinois, - 44,327 41
Missouri, - 38,424 75 Tennessee, - 10,547 75
Lower Minn., - 39,397 46 Kansas & Neb., - 19,437 75
Ark. & La., - 31,525 82 Ark. & La., - 52,412 18
Mississippi and Alabama.

The *Vesper Gas* has won for itself a reputation for elegance, economy, safety, and simplicity far beyond any other artificial light. The *Vesper Gas* flame and fixtures precisely resemble in form those of coal gas, but in brilliancy and purity of light it possesses a decided advantage over even London gas. There is required no chimney; there is no need of daily trimming of wick; and the construction of the fixture is so simple that it is not liable to get out of order, and a slight change of gas will not affect it. The gas is supplied from a gas coil which is placed in the burner, and the gas is drawn off through a tube, and a most intense light is produced; those who have had it in constant use for months, as most pleasant to the eye while reading or writing in the dark. The fixtures are adapted in styles to suit all tastes, from the plain single-light burner to the most costly chandelier. Each single-light is perfect in itself; and the multiple lights are equally well constructed. The *Vesper Gas* fixture is elegantly mounted on ornamental bases, and the gas is generated in the burner, and all fixtures, from the cheap single-light burns, to the expensive chandelier, are miniature gas-works in themselves. They are sold at prices which do not exceed the cost of the ordinary gas fixture, and are equal in brilliancy and ornamentation. A price list will be sent to any address on application.

MERCHANTS

Visiting Louisville should not fail to procure the *Vesper Gas* fixtures for their stores.

Churches, Hotels, Public Halls, and Private Residences

Throughout the State can now be fitted up with these elegant and convenient chandeliers, and other beautiful gas fixtures, which add so much to the appearance of such places, and to the comfort of the home circle, and which therefore could be used in any of these various districts embraced within the coal-gas limits of our State.

The limited space of an advertisement precludes the insertion here of the numerous testimonials of approval we have received from all quarters, but we assure you that we have met with nothing but the highest commendation.

Vendor Pictures and Coal Oil prepared expressly for this "stringent time" the necessity for reliable insurance becomes an imperative duty—the ability of property owners to sustain loss and expense lessened.

Agents will call principal cities and towns throughout the State. Policies issued without delay, by any of the duly authorized Agents of the Company.

Business attended to with Dispatch and Fidelity.

H. WINGATE, Agent, Frankfort, Ky.

September 9, 1859.

EDGAR KEENON.

JOHN N. CRUTCHER,

SUCCESSORS TO

Morris & Hampton and H. Evans & Co.,

Main Street, Third Door from St. Clair,

FRANKFORT, KENTUCKY.

DEALERS IN EVERY DESCRIPTION OF

Boots,

Shoes,

Hats,

Caps, and

Straw Goods.

— ALSO —

MISCELLANEOUS AND SCHOOL BOOKS,

Pen and Pocket Knives,

Razors and Scissors,

Port Monaries,

Hair and Cloth Brushes,

Perfumery, &c., &c.

The public is respectfully requested to call and examine our stock of Goods.

1/2 A liberal discount made to teachers.

November 9, 1859.

FRUIT AND ORNAMENTAL

TREES, VINES, SHRUBS, &C.,

CULTIVATED AND FOR SALE BY

Ed. D. Hobbs & J. W. Walker,

AT THE EVERGREEN NURSERIES,

Twelve Miles East of Louisville, Ky., immediately on the Louisville and Frankfort Railroad.

NEARLY printed Catalogue of the Fruits, Ornaments, Trees, Vines, Shrubs, &c., at the above named Nursery, may be had by application to A. G. HODGES, Frankfort, Ky.

Orders may be addressed to HOBBS & WALKER, Williamson Post Office, Jefferson County, Ky., or to A. G. HODGES, Frankfort, Ky.

Frankfort, Oct. 17, 1859.

A CLERGYMAN

having cured himself of Consumption, is desirous of doing the same for others.

After being given up to die, by the most celebrated physicians, desires to make known the mode of cure, (which proves successful in every case,) to those afflicted with Cough, Consumption, &c.

He will call on all Druggists and Physicians.

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